

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	CRIMINAL NO. <i>05-10110-MEL</i>
)	
v.)	VIOLATIONS:
)	
BURDLEY JEAN)	18 U.S.C. § 371 (Conspiracy)
JEAN NORISCAT)	18 U.S.C. § 1344 (Bank Fraud)
)	18 U.S.C. § 2 (Aiding & Abetting)
)	
Defendants.)	

INDICTMENT

The Grand Jury charges that at all times material to this Indictment:

1. BURDLEY JEAN ("JEAN") lived at various addresses in Massachusetts. JEAN is a former employee of Fleet Bank, whose position at Fleet Bank provided him with information regarding how banks encode and process checks.

2. JEAN NORISCAT ("NORISCAT") lived at various addresses in Massachusetts.

GENERAL ALLEGATIONS

3. From on or about May 28, 2002 through in or about January 2004, JEAN obtained account information of various customers of several banks in New England, and created counterfeit checks purporting to draw on these accounts. These counterfeit checks purported to be payable to numerous different people.

4. JEAN then hired several individuals to enter federally insured financial institutions, including Fleet Bank, Citizens Bank, and Sovereign Bank, and cash these checks. JEAN or someone working with JEAN provided each of these individuals with counterfeit identification purporting to demonstrate that they were the individuals to whom the counterfeit

checks were payable.

5. From on or about May 28, 2002 until on or about August 16, 2002, JEAN arranged with a teller at Citizens Bank, BM, to cash counterfeit checks he created.

6. From on or about April 28, 2003 through on or about January 13, 2004, JEAN provided counterfeit checks to NORISCAT and others, including FS and SS. On numerous occasions JEAN drove NORISCAT, FS and SS to federally insured financial institutions, including Fleet Bank, Citizens Bank, and Sovereign Bank, and waited outside while NORISCAT, FS or SS cashed the counterfeit checks inside.

7. NORISCAT, using several aliases, including Robert Washington, Mike Wilson, Shaun Green, and Ellis Pratt cashed over \$200,000 worth of forged checks created by JEAN, causing money to be withdrawn from the accounts of more than ten account holders, during the time period between April 28, 2003 and January 13, 2004.

COUNT ONE
JEAN AND NORISCAT
(Conspiracy – 18 U.S.C. § 371)

THE GRAND JURY FURTHER CHARGES THAT:

8. Paragraphs 1 through 4 and 6 through 7 are realleged and incorporated by reference as though fully set forth herein.

9. Beginning on a date unknown but no later than April 2003 and continuing until January 2004 in the District of Massachusetts and elsewhere,

BURDLEY JEAN and
JEAN NORISCAT,

defendants herein, together with others known and unknown to the Grand Jury, knowingly and unlawfully conspired and agreed with each other to commit an offense against the United States, namely, to execute and attempt to execute a scheme and artifice to obtain money, funds and other property owned by and under the custody and control of federally insured financial institutions, namely Fleet Bank, Citizens Bank, and Sovereign Bank, through false statements, representations and pretenses, and for the purpose of executing this scheme and attempting to do so, did cause the withdrawal of money from the accounts of legitimate account holders without the account holders' and the banks' permission, in violation of Title 18, United States Code, Section 1344.

OBJECTIVES OF THE CONSPIRACY

10. The purpose and objective of the conspiracy was to enable JEAN and NORISCAT, along with others known and unknown to the grand jury, to fraudulently obtain money, funds and other property then under the custody and control of Fleet Bank, Citizens Bank, Sovereign Bank, and other financial institutions, by using forged checks purportedly

drawing on the accounts of legitimate customers of Fleet Bank, Citizens Bank, and Sovereign Bank to withdraw money from Fleet Bank, Citizens Bank, and Sovereign Bank and other financial institutions.

MANNER AND MEANS OF THE CONSPIRACY

The manner and means by which the conspirators accomplished the goals of the conspiracy included, among others, the following:

11. It was part of the conspiracy to defraud that defendants JEAN and NORISCAT obtained the account information of legitimate customers of Fleet Bank, Citizens Bank, and Sovereign Bank, and created fraudulent checks purporting to draw on the accounts of these legitimate customers and purporting to be payable to Robert Washington, Shaun Green, Mike Wilson, and Ellis Pratt.

12. Defendants JEAN and NORISCAT then obtained counterfeit identification with NORISCAT's photograph in the names of Robert Washington, Shaun Green, and Mike Wilson. JEAN and NORISCAT also obtained identification documents in the name of Ellis Pratt.

13. Defendant JEAN then drove defendant NORISCAT to various banks, and NORISCAT entered these banks posing as Robert Washington, Shaun Green, Mike Wilson, and Ellis Pratt, and cashed the counterfeit checks.

OVERT ACTS IN FURTHERANCE OF THE CONSPIRACY

14. In furtherance of the conspiracy, and to accomplish the objects of the conspiracy, defendants JEAN and NORISCAT, in the District of Massachusetts and elsewhere, performed numerous overt acts, including but not limited to, the following:

<u>ACTOR</u>	<u>DATE</u> (on or about)	<u>OVERT ACT</u>
NORISCAT	4/28/03	Cashed check payable to Robert Washington purportedly drawing on the account of Simons & Marcus in the amount of \$1,429.38 at Citizens Bank in Stoneham, Massachusetts
NORISCAT	5/21/03	Cashed check payable to Shaun Green purportedly drawing on the account of Mohawk Village Motors, Inc. in the amount of \$2,493.82 at Sovereign Bank in Peabody, Massachusetts
NORISCAT	6/18/03	Cashed check payable to Robert Washington purportedly drawing on the account of EMC Corporation in the amount of \$2,487.31 at Fleet Bank in Swansea, Massachusetts
NORISCAT	6/18/03	Cashed check payable to Robert Washington purportedly drawing on the account of EMC Corporation in the amount of \$2,693.82 at Fleet Bank in Somerset, Massachusetts
JEAN and NORISCAT	6/18/03	Drove to Fleet Banks in Swansea, Somerset, Fall River and Westport, Massachusetts and to a Fleet Bank in Bristol Rhode Island to cash checks
NORISCAT	7/14/03	Cashed check payable to Shaun Green purportedly drawing on the account of Mosiki Development in the amount of \$1,893.16 at a Fleet Bank in Ogunquit, Maine
NORISCAT	7/18/03	Cashed check payable to Shaun Green purportedly drawing on the account of Advanced Wireless Automation in the amount of \$2,783.41 at a Fleet Bank in Biddeford, Maine
NORISCAT	8/15/03	Cashed check payable to Mike Wilson purportedly drawing on the account of Commonwealth Cooperative Bank in the amount of \$2,469.18 at Fleet Bank in North Providence, Rhode Island
NORISCAT	9/4/03	Cashed check payable to Mike Wilson purportedly

		drawing on the account of JCRC of Greater Boston in the amount of \$3,378.13 at Citizens Bank in Cumberland, Rhode Island
NORISCAT	10/20/03	Cashed check payable to Mike Wilson purportedly drawing on the account of Julian Crane and Equipment Corporation in the amount of \$2,871.05 at Fleet Bank in Derry, New Hampshire
NORISCAT AND JEAN	10/20/03	Drove to Fleet Bank in Londonderry, New Hampshire with intent to cash a check payable to Mike Wilson purportedly drawing on the account of Julian Crane and Equipment Corporation in the amount of \$3,278.20
NORISCAT	1/13/04	Attempt to cash check payable to Ellis Pratt purportedly drawing on the account of Eagle Investment Systems Corporation in the amount of \$3,479.38 at the Fleet Bank in Johnston, Rhode Island.

All in violation of Title 18, United States Code, Section 371.

COUNTS TWO THROUGH ELEVEN
JEAN AND NORISCAT
(Bank Fraud – 18 U.S.C. § 1344(1))

THE GRAND JURY FURTHER CHARGES THAT:

15. Paragraphs 1 through 7, and 10-14 are realleged and incorporated by reference as though fully set forth herein.

16. On or about the dates set forth below, in the District of Massachusetts and elsewhere, the defendants,

BURDLEY JEAN and
JEAN NORISCAT,

in furtherance of the conspiracy alleged in Count 1, did knowingly and willfully execute and attempt to execute a scheme and artifice to obtain money, funds and other property owned by and under the custody and control of federally insured financial institutions, namely Fleet Bank, Citizens Bank, and Sovereign Bank, through false statements, representations and pretenses, and for the purpose of executing this scheme and attempting to do so, did cause the withdrawal of money from the accounts of legitimate account holders without the account holders' and the banks' permission as follows:

<u>COUNT</u>	<u>DATE</u> (on or about)	<u>TRANSACTION AND FINANCIAL INSTUTION</u>
2.	4/29/03	Check cashed at Fleet Bank in Foxboro, Massachusetts payable to Robert Washington purportedly drawing on the account of Perini Coporation in the amount of \$1,483.63
3.	5/9/03	Check cashed at Citizens Bank in Mansfield, Massachusetts payable to Shaun Green purportedly drawing on the account of Steffian Bradley Architects in the amount of \$2,498.57

4. 5/21/03 Check cashed at Sovereign Bank in Peabody, Massachusetts payable to Shaun Green purportedly drawing on the account of Mohawk Village Motors, Inc. in the amount of \$2,493.82
5. 6/17/03 Attempted cashing of a check at Sovereign Bank in Framingham, Massachusetts payable to Shaun Green purportedly drawing on the account of Disability Management Services, Inc. in the amount of \$2,678.39
6. 6/18/03 Check cashed at Fleet Bank in Swansea, Massachusetts payable to Robert Washington purportedly drawing on the account of EMC Corporation in the amount of \$2,487.31
7. 6/18/03 Check cashed at Fleet Bank in Somerset, Massachusetts payable to Robert Washington purportedly drawing on the account of EMC Corporation in the amount of \$2,693.82
8. 6/18/03 Check cashed at Fleet Bank in Fall River, Massachusetts payable to Robert Washington purportedly drawing on the account of EMC Corporation in the amount of \$2,497.22
9. 7/14/03 Check cashed at Fleet Bank in Ogunquit, Maine and processed at the Fleet Bank facility in Malden, Massachusetts payable to Shaun Green purportedly drawing on the account of Mosiki Development in the amount of \$1,893.16
10. 7/18/03 Check cashed at Fleet Bank in Woodsford, Maine and processed at the Fleet Bank facility in Malden, Massachusetts payable to Shaun Green purportedly drawing on the account of Advanced Wireless Automation, Inc. in the amount of \$2,861.32
11. 9/4/03 Cashed check payable to Mike Wilson and processed at the Fleet Bank facility in Malden, Massachusetts purportedly drawing on the account of JCRC of Greater Boston in the amount of \$3,378.13 at Fleet Bank in Cumberland, Rhode Island

All in violation of Title 18, United States Code, Sections 1344(1) and 2.

COUNTS TWELVE THROUGH FIFTEEN

JEAN ONLY

(Bank Fraud – 18 U.S.C. § 1344(1))

THE GRAND JURY FURTHER CHARGES THAT:

17. Paragraphs 1 through 7, and 10-14 are realleged and incorporated by reference as though fully set forth herein.

18. On or about the dates set forth below, in the District of Massachusetts and elsewhere, the defendant,

BURDLEY JEAN

did knowingly and willfully execute and attempt to execute a scheme and artifice to obtain money, funds and other property owned by and under the custody and control of a federally insured financial institution, namely Citizens Bank, through false statements, representations and pretenses, and for the purpose of executing this scheme and attempting to do so, did cause the withdrawal of money from the accounts of legitimate account holders without the account holders' and the banks' permission as follows:


<u>COUNT</u>	<u>DATE</u> (on or about)	<u>TRANSACTION</u>
12.	5/28/02	Cashed counter check in the amount of \$1,100 purportedly drawing on the account of Dinorah Abreu at the Citizens Bank in Roslindale, Massachusetts
13.	6/3/02	Cashed counter check in the amount of \$520 purportedly drawing on the account of Juan Carlos Galeano at the Citizens Bank in Roslindale, Massachusetts
14.	7/22/02	Cashed counter check in the amount of \$2,500 purportedly drawing on the account of Robert Rothman at the Citizens Bank in Roslindale, Massachusetts

15. 8/16/02 Negotiated a checking debit in the amount of \$2,500 purportedly drawing on the account of Robert Rothman at the Citizens Bank in Roslindale, Massachusetts

All in violation of Title 18, United States Code, Sections 1344(1) and 2.

A TRUE BILL

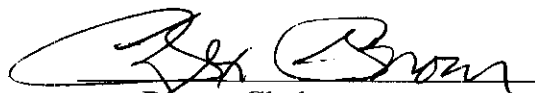

FOREPERSON OF THE GRAND JURY


Seth P. Berman
Assistant United States Attorney

DISTRICT OF MASSACHUSETTS

April 20, 2005 @ 4:00 PM

Returned into the District Court by the Grand Jurors and filed.


Deputy Clerk

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: _____ Category No. II Investigating Agency FBI

City Boston and Elsewhere Related Case Information:

County Suffolk and Elsewhere Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____

Defendant Information:

Defendant Name BURDLEY JEAN Juvenile ☐ Yes ☒ No

Alias Name _____

Address 20 Reed Street #24 Randolph, MA

Birth date (Year only): 1980 SSN (last 4 #): 5436 Sex M Race: Black Nationality: unknown

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:

AUSA Seth P. Berman Bar Number if applicable 629332

Interpreter: ☐ Yes ☒ No List language and/or dialect: _____

Matter to be SEALED: ☒ Yes ☐ No

☒ Warrant Requested ☐ Regular Process ☐ In Custody

Location Status:

Arrest Date: _____

☐ Already in Federal Custody as _____ in _____

☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial

☐ On Pretrial Release: Ordered by _____ on _____

Charging Document: ☐ Complaint ☐ Information ☒ Indictment

Total # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 15

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: April 20, 2005

Signature of AUSA: [Signature]

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant BURDLEY JEAN

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. § 371</u>	<u>Conspiracy</u>	<u>1</u>
Set 2	<u>18 U.S.C. §1344</u>	<u>Bank Fraud</u>	<u>2-15</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. II Investigating Agency FBICity Boston and Elsewhere Related Case Information:County Suffolk and Elsewhere Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name JEAN MARC NORISCAT Juvenile ☐ Yes ☒ No

Alias Name _____

Address 31 Tennis Road #2 Mattapan, MA 02126Birth date (Year only): 1974 SSN (last 4 #): 8290 Sex M Race: Black Nationality: unknownDefense Counsel if known: James Durdola Address: Telephone Number 781-982-9700

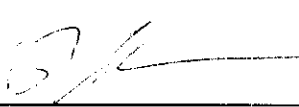
Bar Number: _____

U.S. Attorney Information:AUSA Seth P. Berman Bar Number if applicable 629332Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Matter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date: _____

☐ Already in Federal Custody as _____ in _____☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by _____ on _____Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 11

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: April 20, 2005Signature of AUSA: 

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

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Name of Defendant JEAN MARC NORISCAT

U.S.C. Citations

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Set 2	<u>18 U.S.C. §1344</u>	<u>Bank Fraud</u>	<u>2-11</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: